



# Board of Directors

Board Meeting Minutes – September 6, 2016

## BOARD PRESENT

Nathan Hovekamp, Vice-Chair  
Craig Chenoweth  
Brady Fuller  
Ellen Grover

## Absent

Ted Schoenborn, Chair

## STAFF PRESENT

Don Horton, Executive Director  
Vanessa DeMoe, Assistant to the Executive Director  
Lindsey Lombard, Administrative Services Director  
Michelle Healy, Planning & Park Services Director  
Julie Brown, Communications & Community Relations Manager  
Jeff Hagler, Park Stewardship Manager  
Matt Mercer, Director of Recreation

Legal: Neil Bryant



## 7:00 p.m. REGULAR MEETING

### CONSENT AGENDA

#### 1. Meeting Minutes

*Director Chenoweth made a motion to approve the Consent Agenda. Director Fuller seconded. The motion passed unanimously, 4-0.*

### BUSINESS SESSION

#### 1. Goose program report – Jeff Amaral

Mr. Amaral provided a presentation to the Board covering the background of goose management in Bend parks, an overview of the resident Canada goose management plan and shared some numbers from years past. The presentation covered the following information:

- Wildlife Management
- Resident vs. Migratory Canada Geese
- Resident Geese Growth Rate
- Background on Geese issue in parks
- Geese Damage and Risks
- Health and Safety

- BPRD Goals
- Geese Management
- Goose Management Plan

## 2. Mirror Pond MOU – Don Horton and Neil Bryant

Executive Director Horton said that the District had been working on this project for a number of years. He provided background on the project; sharing that a community vision had been adopted by the Board and City Council in March of 2015. He explained that since that vision was adopted, staff continued to work with PacifiCorp to attempt to negotiate the sale of the dam, power operation and land that was adjacent to the dam. Those negotiations ended without any agreement. At the same time Mirror Pond Solutions (MPS) was created and they acquired all of the land under Mirror Pond not owned by PacifiCorp. After the District ceased negotiations with PacifiCorp, Mirror Pond Solutions made an attempt to negotiate as well. As a result, PacifiCorp made a decision that they would retain ownership of the dam for an undetermined amount of time. This decision changed the intent of the MOU adopted by the Board in June of 2016 resulting in the new MOU that is before the Board for consideration. [The MOU and complete agenda brief is available at [http://www.bendparksandrec.org/about\\_us/board\\_meetings/](http://www.bendparksandrec.org/about_us/board_meetings/)]

Mr. Bryant responded to a concern voiced by Director Grover about the potential of the dam removal in the future. He stated that whoever removes the dam in the future has a lot of responsibility in the way they remove it. He shared that PacifiCorp understands that a “blow and go” approach is not acceptable and the attorney confirmed that they are going to continue operating the dam and continue maintenance. MPS proposal in the MOU is a new course of direction for them; they are focusing on how to dredge and raise the estimated \$3.3 million dollars to remove the sediment. MPS is agreeable that the MOU is acceptable to them; the MOU is important for them to be able to contact other groups such as the City, PacifiCorp and property owners, to find the additional funding.

### Visitors

Keith Scott – Mr. Scott provided comment on Mirror Pond, Troy Field and geese management. He said that BPRD and the City should exert pressure to dredge the pond. He also stated that BPRD should purchase Troy Field from the school district at a feasible price and retained for recreation not development. Mr. Scott added that if geese are euthanized as part of the management plan that the remains should be preserved for impoverished people.

Foster Fell – Mr. Fell provided comment on the Mirror Pond MOU and said it comes as a fallback plan due to the decisions by PacifiCorp and the legislature. He said, fortunately the MOU is non-binding and does not commit public expenditures, however it is the latest incarnation to preserve the pond and some of the assumptions should be challenged. Mr. Fell requested that the Board submit a question for the November 8<sup>th</sup> ballot asking the public if they want to preserve Mirror Pond and the dam or have a free flowing river.

Executive Director Horton replied to Mr. Fell’s comment stating that what he was asking the voters to do is to vote on whether the pond should stay as is or be returned to a free flowing river. He said that the problem with asking the question is that removing the dam is not an option for the District. It is owned by PacifiCorp, the District can’t remove the dam. The work that the District is doing on the bank restoration on river right, regardless of if the dam stays or goes, is an

investment that will not be a bad one either way. He added that the District does not have authority to put a theoretical question on the ballot, the City and County can, but not Special Districts. Mr. Bryant confirmed that to be correct.

The Board provided their feedback and position on the MOU and collectively supported moving forward.

#### Visitor

Lynn McKay – Ms. McKay provided comment on Mirror Pond. She said that everything in the MOU seems to be contingent on MPS finding the money. She shared that she had not read the MOU, but feels the problem with the MOU is that it is not binding. She said that the partnership seems to have no true responsibility, time limits, binding conditions, penalties, liability or obligation for the dredging.

***Director Fuller made a motion to authorize the Executive Director to negotiate and execute a MOU with Mirror Pond Solutions, LLC for the creation of a partnership to address the future of Mirror Pond. The MOU should remain in substantially the same form as presented in the Board packet. Director Grover seconded.***

Vice Chair Hovekamp stated that he would like to invite the public to help us with this. He said we are all very wary of this complex project and trying to reach a solution that works for most people in the community. He shared that the Board had not operated without the best of intention and would like help in moving this forward.

***The motion passed unanimously, 4-0.***

### 3. Lease Extension for Cascade School of Music – Don Horton

Executive Director Horton shared background on the old District office building that is currently being leased to the Cascade School of Music. He said that the request is for a lease extension of two years. Executive Director Horton said that future needs of the District need to be considered along with future changes in the area and building maintenance needs. He said that the Cascade School of Music had recently submitted a letter sharing an interest in being a long term resident. Executive Director Horton recommended that the Board approve the extension for two years, allowing the necessary conversations to take place about the future needs of the District to serve their patrons and the request for a longer term lease by Cascade School of Music.

***Director Grover made a motion to authorize the Executive Director to extend the lease for Cascade School of Music an additional two years from the current lease termination date of August 2017. Director Fuller seconded. The motion passed unanimously, 4-0.***

#### **STAFF REPORTS**

Staff reports were provided to the Board for informational purposes only. There was no formal presentation or discussion.

## **EXECUTIVE DIRECTOR'S REPORT**

- **OPRD Commission here Sept 13-14**
  - **Invitation for reception at Hollinshead Barn Sept 13 (in folders)**
- **Open Streets - September 18**
- **Discover Nature Festival - September 24**
- **ORPA – Nov 7-9, Eugene**
  
- **Art Station**

Executive Director stated that this would normally be a formal agenda item, because the discussion is time critical, he would like to have the discussion now. He shared that staff had met with the Art Station Board last week to talk about their financial condition and if they are looking for someone to take over programs and the possibility of the District taking over the Art Station piece of Art Central. He reported that they would very much like for the District to take over the Art Station. He said that the Board needs to decide whether or not they want staff to pursue this further. Executive Director Horton explained that one challenge is that the lease for the depot is only available for fourteen more months; there may be an opportunity to lengthen the lease, however Bill Smith is looking at what they are going to do with all of the other undeveloped property including the train depot. He said that if the District does take over the programs he would recommend it be as a pilot program. He shared that many of the costs they had would not be costs for the District; for example many of the programs are already in our Playbook, we would not need additional office space for staff and existing positions would take over program coordination.

Mr. Mercer explained that the Art Station had been one of the District's larger independent contractors for programs for years. The vast majority of youth classes that they offer were co-registered programs. The art station is a loss to the community and a loss to our program offerings. He discussed budget, growth potential, staffing and purchase of assets. He stated that if someone does not take over those programs they will likely get parsed out and fragmented and would make it difficult to create the base of community service and support that the Art Station has created over the years.

Executive Director stated that we already have in the budget to do something like this; the questions is if the Board felt comfortable with staff moving forward or would the Board like staff to come back with a formal presentation and budget for your approval.

**The Board agreed to have a Special Call meeting on Friday, September 9 at 1:00 pm for further discussion and to consider taking on services previously provided at the Art Station.**

## **BOARD MEETINGS CALENDAR REVIEW**

### **GOOD OF THE ORDER**

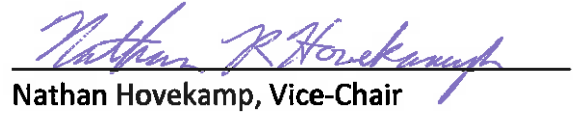
**ADJOURN 9:22 pm**

**EXECUTIVE SESSION - The board did not meet in executive session.**

Prepared by,  
Vanessa DeMoe  
Executive Assistant



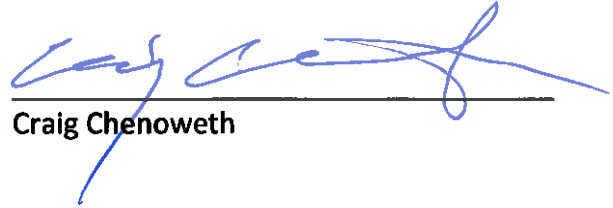
Ted Schoenborn, Chair



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